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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE EASTERN DISTRICT OF CALIFORNIA

8 ANTHONY ARTEAGA,

9 Plaintiff,

No. CIV S-03-1004 FCD KJM P

10 vs.

11 EDWARD ALAMEIDA, et al.,

12 Defendants.

ORDER

13 _____/
14 On April 17, 2008, defendants filed a second motion for summary judgment. On
15 May 21, 2008, this court granted plaintiff's request for an extension of time to oppose the
16 motion.

17 On June 23, 2008, plaintiff filed a request for postponement of further
18 proceedings on the motion (docket no. 86), noting that the parties are involved in settlement
19 negotiations.

20 IT IS HEREBY ORDERED that:

21 1. Defendants' motion for summary judgment (docket no. 83) is denied without
22 prejudice to its renewal should the parties be unable to reach a settlement in this case. Should
23 defendants wish to renew the motion, they do not need to file the same pleadings a second time
24 but should inform the court of their desire to reopen and proceed on the motion filed April 17,
25 2008.

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1 2. The parties are directed to file reports of the status of their attempts to settle
2 the case; the first report is due sixty days from the date of this order, with subsequent reports due
3 at sixty day intervals until any settlement is finalized or the parties are finally unable to reach
4 settlement.

5 DATED: July 9, 2008

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8 U.S. MAGISTRATE JUDGE

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